

1 AN ACT in relation to public employee benefits.

2 Be it enacted by the People of the State of Illinois,
3 represented in the General Assembly:

4 Section 5. The Illinois Pension Code is amended by
5 changing Sections 2-110 and 14-105.1 as follows:

6 (40 ILCS 5/2-110) (from Ch. 108 1/2, par. 2-110)
7 Sec. 2-110. Service.

8 (A) "Service" means the period beginning on the day when
9 a person first became a member, and ending on the date under
10 consideration, excluding all intervening periods of
11 nonmembership following resignation or expiration of any term
12 of office.

13 (B) "Service" includes:

14 (a) Military service during war by a person who
15 entered such service while a member, whether rendered
16 before or after the expiration of any term of office;
17 plus up to 2 years of military service that need not have
18 immediately followed service as a member, and need not
19 have been served during wartime, provided that the member
20 makes contributions to the System for such service (1) at
21 the rates provided in Section 2-126 based upon the
22 member's rate of compensation on the last date as a
23 participant prior to such military service, or on the
24 first date as a participant after such military service,
25 whichever is greater, plus (2) if payment is made on or
26 after May 1, 1993, an amount determined by the Board to
27 be equal to the employer's normal cost of the benefits
28 accrued for such military service, plus (3) interest at
29 the effective rate from the date of first membership in
30 the System to the date of payment.

31 The amendment to this subdivision (B)(a) made by

1 this amendatory Act of 1993 shall apply to persons who
2 are active contributors to the System on or after
3 November 30, 1992. A person who was an active
4 contributor to the System on November 30, 1992 but is no
5 longer an active contributor may apply to purchase
6 military credit under this subdivision (B)(a) within 60
7 days after the effective date of this amendatory Act of
8 1993; if the person is an annuitant, the resulting
9 increase in annuity shall begin to accrue on the first
10 day of the month following the month in which the
11 required payment is received by the System. The change
12 in the required contribution for purchased military
13 credit made by this amendatory Act of 1993 shall not
14 entitle any person to a refund of contributions already
15 paid.

16 (b) Service as a judge of a court of this State,
17 but credit for such service is subject to the following
18 conditions: (1) such person shall have been a member for
19 at least 4 years and contributed to the system for
20 service as a judge subsequent to July 8, 1947, at the
21 rates herein provided, including interest at 2% per annum
22 to the date of payment based on the salary in effect
23 during such service; (2) the member was not an eligible
24 member of nor entitled to credit for such service in any
25 other retirement system in the State maintained in whole
26 or in part by public contributions; and (3) the last 4
27 years of service prior to retirement on annuity was
28 rendered while a member.

29 (c) Service as a participating employee under
30 Articles 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16,
31 17 or 18 of the Illinois Pension Code. Credit for such
32 service may be established by a member and, if permitted
33 by the credit transfer Section of the appropriate
34 Article, by a former member who is not yet an annuitant,

1 and is subject to the following conditions: (1) that the
2 credits accrued under the above mentioned Articles have
3 been transferred to this system; and (2) that the member
4 has contributed to this system an amount equal to (i) the
5 contribution rate in effect for participants at the date
6 of membership in this system multiplied by the salary
7 then in effect for members of the General Assembly for
8 each year of service for which credit is being
9 transferred, plus (ii) the State's share of the normal
10 cost of benefits under this system expressed as a percent
11 of payroll, as determined by the system's actuary as of
12 the date of the participant's membership in this system,
13 multiplied by the salary then in effect for members of
14 the General Assembly, for each year of service for which
15 credit is being transferred, plus (iii) interest on items
16 (i) and (ii) above at 6% per annum compounded annually,
17 from the date of membership to the date of payment by the
18 participant, less (iv) the amount transferred to this
19 system on behalf of the participant on account of service
20 rendered while a participant under the above mentioned
21 Articles.

22 (d) Service, before October 1, 1975, as an officer
23 elected by the people of Illinois, for which creditable
24 service is required to be transferred from the State
25 Employees' Retirement System to this system by this
26 amendatory Act of 1975.

27 (e) Service rendered prior to January 1, 1964, as a
28 justice of the peace or police magistrate or as a civil
29 referee in the Municipal Court of Chicago, but credit for
30 such service may not be granted until the member has paid
31 to the system an amount equal to (1) the contribution
32 rate for participants at the date of membership in this
33 system multiplied by the salary then in effect for
34 members of the General Assembly for each year of service

1 for which credit is being transferred, plus (2) the
2 State's share of the normal cost of benefits under this
3 system expressed as a percent of payroll, as determined
4 by the system's actuary as of the date of the
5 participant's membership in this system, multiplied by
6 the salary then in effect for members of the General
7 Assembly, for each year of service for which credit is
8 allowed, plus, (3) interest on (1) and (2) above at 6%
9 per annum compounded annually from the date of membership
10 to the date of payment by the member. However, a
11 participant may not receive more than 6 years of credit
12 for such service nor may any member receive credit under
13 this paragraph for service for which credit has been
14 granted in any other public pension fund or retirement
15 system in the State.

16 (f) Service before January 16, 1981, as an officer
17 elected by the people of Illinois, for which creditable
18 service is transferred from the State Employees'
19 Retirement System to this system.

20 (C) Service during any fraction of a month shall be
21 considered as a month of service.

22 Service includes the total period of time for which a
23 participant is elected as a member or officer, even though he
24 or she does not complete the term because of death,
25 resignation, judicial decision, or operation of law, provided
26 that the contributions required under this Article for such
27 entire period of office have been made by or on behalf of the
28 participant. In the case of a participant appointed or
29 elected to fill a vacancy, service includes the total period
30 from January 1 of the year in which his or her service
31 commences to the end of the term in which the vacancy occurs,
32 provided the participant contributes in the year of
33 appointment an amount equal to the contributions that would
34 have been required had the participant received salary for

1 the entire year. The foregoing provisions relating to a
2 participant appointed or elected to fill a vacancy shall not
3 apply if the participant was a member of the other
4 legislative chamber at the time of appointment or election.

5 (D) Notwithstanding the other provisions of this
6 Section, if application to transfer or establish service
7 credit under paragraph (c) or (e) of subsection (B) of this
8 Section is made between January 1, 1992 and February 1, 1993,
9 the contribution required for such credit shall be an amount
10 equal to (1) the contribution rate in effect for participants
11 at the date of membership in this system multiplied by the
12 salary then in effect for members of the General Assembly for
13 each year of service for which credit is being granted, plus
14 (2) interest thereon at 6% per annum compounded annually,
15 from the date of membership to the date of payment by the
16 member, less (3) any amount transferred to this system on
17 behalf of the member on account of such service credit.

18 (E) Notwithstanding the other provisions of this
19 Section, if application to transfer service credit from the
20 State Employees' Retirement System under paragraph (c) of
21 subsection (B) of this Section is made between the effective
22 date of this amendatory Act of the 92nd General Assembly and
23 July 1, 2002, the contribution required shall be calculated
24 without the inclusion of any interest under item (iii) of
25 that paragraph (c).

26 (Source: P.A. 86-27; 86-1028; 87-794; 87-1265.)

27 (40 ILCS 5/14-105.1) (from Ch. 108 1/2, par. 14-105.1)
28 Sec. 14-105.1. Transfer to Article 2, 5, and 12
29 retirement systems.

30 (a) Any active (and until February 1, 1993, any former)
31 member of the General Assembly Retirement System may apply
32 for transfer of his or her credits and creditable service
33 accumulated under this System to ~~the-General-Assembly--System~~

1 or a Fund established under Article 5 or 12 of this Code.
 2 Such credits and creditable service shall be transferred
 3 forthwith. Payment by this System to the-~~General-Assembly~~
 4 Retirement-System-~~or~~ the Fund established under Article 5 or
 5 12 shall be made at the same time and shall consist of:

6 (1) the amounts accumulated to the credit of the
 7 applicant, including regular interest, on the books of
 8 the System on the date of transfer; and

9 (2) employer contributions in an amount equal to
 10 the amount of member contributions as determined under
 11 subparagraph (1).

12 Participation in this System as to any credits transferred
 13 under this Section shall terminate on the date of transfer.

14 (a-5) Any active member of the General Assembly
 15 Retirement System may apply for transfer of all or a part of
 16 his or her credits and creditable service accumulated under
 17 this System to the General Assembly Retirement System.
 18 Payment by this System to the General Assembly Retirement
 19 System shall be made at the same time and shall consist of:

20 (1) the amounts accumulated to the credit of the
 21 applicant for the credits to be transferred, including
 22 regular interest, on the books of the System on the date
 23 of transfer; and

24 (2) employer contributions in an amount equal to
 25 the amount of member contributions as determined under
 26 subparagraph (1).

27 Participation in this System as to any credits transferred
 28 under this subsection shall terminate on the date of
 29 transfer.

30 (b) An active (and until February 1, 1993, a former)
 31 member of the General Assembly who has service credits and
 32 creditable service under the System may establish additional
 33 service credits and creditable service for periods during
 34 which he was an elected official and could have elected to

1 participate but did not so elect. Service credits and
2 creditable service may be established by payment to the
3 System of an amount equal to the contributions he or she
4 would have made if he or she had elected to participate, plus
5 regular interest to the date of payment.

6 (c) An active (and until February 1, 1993, a former)
7 member of the General Assembly Retirement System may
8 reinstate service and service credits terminated upon receipt
9 of a separation benefit, by payment to the System of the
10 amount of the separation benefit plus regular interest
11 thereon to the date of payment.

12 (Source: P.A. 86-27; 86-273; 86-1028; 86-1488; 87-794.)

13 Section 99. Effective date. This Act takes effect upon
14 becoming law.